

REMARKS

A. The Section 102 Rejections

Claims 1-17 were rejected under 35 U.S.C. §102(e) based on U.S. Patent Application No. 2005/0169222 to Ayyagari et al ("Ayyagari"). Applicants disagree and traverse these rejections for at least the following reasons.

It is respectfully submitted that, other than discussing Contention Free Periods (CFPs), Ayyagari is unrelated to the present invention.

As a starting point, consider claim 1 as illustrative of the claims at issue (letters in parenthesis added):

A method for coordinating transmissions of access points in a wireless local area network comprising the steps of:

(i) estimating a number of slots for each access point associated with a contention free period (CFP);

(ii) generating estimated slot sequences, slot assignments and a transmission frequency for each access point based on the estimated number of slots and an interference graph associated with every access point;

(iii) determining a total number of slots used in the estimated slot assignments;

(iv) comparing the total number of slots to an available number of slots;

(v) adjusting a slot-to-user ratio of each access point if the total number of slots does not equal the available number of slots; and

(vi) assigning each access point a number of slots and a slot sequence based on the estimated slot assignments and slot sequences and assigning each access point a transmission frequency when the total number of slots equals the available number of slots.

In comparison, Ayyagari does not disclose or suggest the estimation of a number of slots in a CFP as in (i). The Examiner's position that beacon data in a beacon region is analogous to slot in a CFP, whether true or not, is not pertinent to the claims of the present invention because there is no mention of a beacon, beacon data or a beacon region in the claims or specification. The

fact that Ayyagari may equate the two (which it is not clear that it does) is irrelevant. It is the present specification which must be consulted to determine the proper scope and meaning of the terms used in the claims. In sum, analogizing beacon data to slots in a CFP is inconsistent with the specification and, therefore, impermissible, *In re Hyatt*, 211 F3d 367, 1372, 54 USPQ2d 1664,1667 (Fed. Cir. 2000).

Further, Ayyagari is completely silent with respect to the use of slot-to-user ratios (part (iv)). Ayyagari's beacon slots are simply not slots within the claimed CFP and, therefore, such beacon slots are irrelevant to the claimed slot-to-user ratios and to the adjustment of such ratios.

Yet further, Ayyagari does not disclose the assignment step (part (vi)). The fact that Ayyagari may disclose a known technique of allowing base stations to reserve a CFP time period during which they can transmit is unrelated to the claimed assignment steps which specifically requires the assignment of slots and slot sequences to access points based on estimated slot assignments and slot sequences and the assignment of transmission frequencies to access points when a total number of slots equals an available number of slots, all of which are completely absent from Ayyagari.

Accordingly, Applicants respectfully request withdrawal of the rejections and allowance of claims 1-17.

Should there be any other outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact John E. Curtin at the telephone number below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 50-3777 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

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Respectfully submitted,

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